



**The Maryland Department of the Environment  
Secretary Serena McIlwain**

***House Bill 779***

***Natural Resources - Riverine Siting and Design Criteria - Requirements***

**Position:** Support with Amendments  
**Committee:** Environment and Transportation  
**Date:** February 25, 2026  
**From:** Alex Butler, Deputy Director of Government Relations

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The Maryland Department of the Environment (MDE) **SUPPORTS HB 779 WITH AMENDMENTS.**

**Bill Summary**

House Bill 779 mandates that, starting July 1, 2028, qualifying State and local capital projects in areas subject to riverine flooding must be designed to withstand 500-year flood events. These requirements apply to “structures” and “highway facilities” (which are defined in the bill) that cost at least \$500,000 and are funded with 50% or more State funds.

By July 1, 2027, the Coast Smart Council, in consultation with the Department of Natural Resources, Maryland Department of Transportation, and MDE, must develop riverine siting and design criteria for the State and local capital projects subject to the legislation and ensure these structures are not inundated during such floods. Additionally, the bill requires that the Council establish a formal process allowing the State or local government to obtain waivers from the new 500-year flood compliance standards.

**Position Rationale**

MDE supports the bill’s overall goal of improving the planning and siting of government-funded projects and structures in areas subject to riverine flooding. The bill will result in better land use planning decisions, increased flooding resilience, and the protection of public investments.

However, as originally drafted, the bill would require MDE to conduct expensive and time-consuming mapping in order to meet the bill’s requirements. MDE is working with the bill sponsor on amendments that would utilize existing Federal Emergency Management Agency (FEMA) data to define a riverine 500-year flood event, 500-year flood event inundated area, and 500-year flood event water surface elevation. The use of FEMA data to define these terms will allow MDE to avoid the creation of new mapping and greatly reduce the bill’s fiscal impact on MDE. Additionally, the Maryland Department of Transportation (MDOT) has concerns with the bill’s applicability to transportation facilities. Given the unique nature and size of transportation projects, and the strength of current assessments performed during design and planning, adopting a Coast Smart riverine siting requirements for these projects may be unnecessary.

Accordingly, MDE asks for a **FAVORABLE WITH AMENDMENTS** report for HB 779.

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